

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 21-28 OF THE CODE OF ORDINANCES
TO BAN THE USE OF PLASTIC CARRIER BAGS DURING PARADES AND
PUBLIC ASSEMBLIES; REQUIRE RECYCLE BINS OR BAGS; AND
ENCOURAGE USE OF RECYCLED OR RECYCLABLE PRODUCTS**

WHEREAS, the existing City Code of Ordinances, Chapter 21-28 does not address the use of plastic carrier bags or recycling during parades and at public assemblies; and

WHEREAS, it is deemed appropriate and in the best interest of the citizens and the environment to amend said Chapter 21-28 to ban the use of plastic carrier bags and require recycle bins or bags during parades and at public assemblies.

SECTION 1, NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 21-28 (a) *definitions* is hereby amended by adding the definition of “plastic carrier bag” as follows:

“Plastic carrier bag” is any plastic bag used to convey goods from a business establishment to a home.

SECTION 2, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 21-28 (a) *definitions* is hereby amended by adding the definition of “recycle bins or bags” as follows:

“Recycle bins or bags” is any receptacle to hold recyclable products.

SECTION 3, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 21-28 (o) *prohibitions* is hereby amended to the following language:

7. The parade or public assembly chairman or other person heading such activity shall agree to not allow the distribution or sale of plastic carrier bags during the event, except, all events sanctioned by Memphis Runners or similar road race events are exempted from the provisions of this subsection 7.

SECTION 4, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that Section 21-28 (n) *duties of permittee* is hereby amended to add the following language:

3. The permittee shall place recycle bins or bags along the parade route or at the public assembly if food, drink, or paper is distributed or sold. The permittee is also encouraged to use recycled and recyclable products.

SECTION 5, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 6, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

JIM STRICKLAND
Council Member

MYRON LOWERY
Council Chair